

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re Terrorist Attacks on September 11, 2001

03 MDL 1570 (GBD)(SN)  
ECF Case

This document relates to:

*Maureen Moody-Theinert et al. v. Islamic Republic of Iran*, No. 1:18-cv-11876 (GBD) (SN)

**ORDER OF PARTIAL FINAL DEFAULT JUDGMENTS ON BEHALF  
OF MOODY-THEINERT PLAINTIFFS IDENTIFIED IN EXHIBITS A AND B III**

Upon consideration of the evidence and arguments submitted by Plaintiffs identified in Exhibits A and B to this Order, Plaintiffs in *Moody-Theinert III*, who are each a spouse, parent, child, or sibling (or the estate of a spouse, parent, child, or sibling) of a victim killed in the terrorist attacks on September 11, 2001 (as identified on Exhibit A), or the estate of an individual who was killed in the terrorist attacks on September 11, 2001 (as identified on Exhibit B), and the Judgment by Default for liability only against Defendant Islamic Republic of Iran (the “Iran Defendants”) entered on September 3, 2019 (ECF No. 5055), together with the entire record in this case, it is hereby;

**ORDERED** that service of process was effected upon the Iran Defendants in accordance with 28 U.S.C. § 1608(a) for sovereign defendants and 28 U.S.C. § 1608(b) for agencies and instrumentalities of sovereign defendants; and it is

**ORDERED** that partial final judgment is entered against the Iran Defendants and on behalf of the Plaintiffs in *Moody-Theinert III*, as identified in the attached Exhibit A, who are each a spouse, parent, child, or sibling (or the estate of a spouse, parent, child, or sibling) of an individual killed in the terrorist attacks on September 11, 2001, as indicated in Exhibit A; and it is

**ORDERED** that Plaintiffs identified in Exhibit A are awarded: solatium damages of \$12,500,000 per spouse, \$8,500,000 per parent, \$8,500,000 per child, and \$4,250,000 per sibling, as set forth in Exhibit A; and it is

**ORDERED** that partial final judgment is entered against the Iran Defendants and on behalf of the Plaintiffs in *Moody-Theinert III*, as identified in the attached Exhibit B, who are each the estate of a victim of the terrorist attacks on September 11, 2001, as indicated in Exhibit B; and it is

**ORDERED** that Plaintiffs identified in Exhibit B are awarded: compensatory damages for decedents' pain and suffering in an amount of \$2,000,000 per estate, as set forth in Exhibit B; and it is

**ORDERED** that Plaintiffs identified in the expert reports attached as Exhibits B-1 to B-12 to the Declaration of Jerry S. Goldman, Esquire ("Goldman Declaration") (and identified in Exhibit B) and annexed hereto, are awarded economic damages as set forth in Exhibit B and as supported by the expert reports and analyses submitted as Exhibits B-1 to B-12 to the Goldman Declaration; and it is

**ORDERED** that Plaintiffs identified in Exhibits A and B are awarded prejudgment interest of 4.96 percent per annum, compounded annually, running from September 11, 2001 until the date of judgment; and it is

**ORDERED** that Plaintiffs identified in Exhibits A and B may submit an application for punitive damages, economic damages, or other damages (to the extent such awards have not previously been ordered) at a later date consistent with any future rulings made by this Court on this issue; and it is further

**ORDERED** that the remaining *Moody-Theinert* Plaintiffs not appearing on Exhibits A or B, may submit in later stages applications for damages awards, and to the extent they are for solatium or by estates for compensatory damages or for decedents' pain and suffering from the September 11<sup>th</sup> attacks, they will be approved consistent with those approved herein for the Plaintiffs appearing on Exhibits A and B.

**SO ORDERED:**

  
\_\_\_\_\_  
GEORGE B. DANIELS  
United States District Judge

Dated: New York, New York

\_\_\_\_\_  
FEB 05 2020

# Exhibit A

**Ex. A to Moody-Theinert***(Alphabetically by Last Name of 9/11 Decedent)*

	DECEDENT First Name	DECEDENT Middle Name	DECEDENT Last Name	PLAINTIFF First Name	PLAINTIFF Middle Name	PLAINTIFF Last Name	PLAINTIFF Suffix	Relationship to 9/11 Decedent	SOLATIUM DAMAGES AMOUNT
1.	Thomas	Carlo	Moody	Francis	Joseph	Moody		Sibling	\$4,250,000
2.	Thomas	Carlo	Moody	Lorraine	Maria	Antoniello		Sibling	\$4,250,000
3.	Thomas	Carlo	Moody	Michael	Leroy	Moody		Sibling	\$4,250,000
4.	Thomas	Carlo	Moody	Angelina		Moody		Parent (deceased)	\$8,500,000
5.	Mario		Nardone	Linda		Nardone		Parent (Deceased)	\$8,500,000
6.	Kenneth	John	Phelan	Jean		Diaz		Sibling	\$4,250,000
7.	Kenneth	John	Phelan	Marian	Phelan	Owens		Sibling	\$4,250,000
8.	Robert	R.	Ploger	Robert	Riis	Ploger	IV	Child	\$8,500,000

**TOTAL****\$46,750,000**

# **Exhibit B**

**EX. B to Moody-Theinert**  
*(Alphabetically by Last Name of 9/11 Decedent)*

	<b>DECEDENT First Name</b>	<b>DECEDENT Middle Name</b>	<b>DECEDENT Last Name</b>	<b>Suffix Name</b>	<b>Economic Damage Amount</b>	<b>Non-Economic Damage Amount</b>	<b>TOTAL Damage Amount</b>
1.	(Capt.) Thomas		Moody		\$4,373,088	\$2,000,000	\$6,373,088
2.	Paula	E.	Morales		\$1,344,941	\$2,000,000	\$3,344,941
3.	Mario		Nardone	Jr.		\$2,000,000	\$2,000,000
4.	Virginia		Ormiston		\$3,506,278	\$2,000,000	\$5,506,278
5.	Paul		Ortiz	Jr.	\$5,000,863	\$2,000,000	\$7,000,863
6.	Adianes		Oyola		\$3,635,324	\$2,000,000	\$5,635,324
7.	Orio	J.	Palmer		\$6,181,570	\$2,000,000	\$8,181,570
8.	Michael		Parkes		\$3,292,464	\$2,000,000	\$5,292,464
9.	Salvatore	F.	Pepe		\$2,364,224	\$2,000,000	\$4,364,224
10.	Kenneth		Phelan		\$4,297,920	\$2,000,000	\$6,297,920
11.	Zandra	Marie Cooper	Ploger		\$2,200,273	\$2,000,000	\$4,200,273
12.	Robert	R.	Ploger	III	\$1,103,993	\$2,000,000	\$3,103,993
13.	Joseph	J.	Pycior			\$2,000,000	\$2,000,000
14.	Cecelia	E.	Richard		\$1,329,226	\$2,000,000	\$3,329,226
<b>TOTALS</b>					\$38,630,164	\$28,000,000	<b>\$66,630,164</b>